

REMARKS

Claims 1-70, 74, 75, 77 and 82-88 are canceled; claim 71 is amended; and claims 71-73, 76 and 78-81 are pending in the application.

The pending claims stand rejected over Noguchi, Shou, Fitzgerald and Chu. Applicant has amended independent claim 71, from which the remaining claims depend, and believes that such amendment places all of the claims in condition for allowance.

Amended claim 71 recites a computer system comprising an inverter which includes a structure comprising silicon and germanium; a PFET supported by the structure; an insulative material over at least a portion of the PFET, a first layer of semiconductive material over the insulative material; a second layer of semiconductive material over the first layer, with the second layer being compositionally different from the first layer; and an NFET over the insulative material and supported by the first and second layers of semiconductive material, with the NFET having a gate which is directly over a gate of the PFET.

The amendments to claim 71 are supported by the originally-filed specification at, for example, Fig.11 and the text describing Fig. 11, and therefore do not comprise "matter". Specifically, an exemplary recited structure comprising silicon and germanium is shown as structure 110 of Fig. 11; an exemplary recited PFET is shown in Fig. 11 as transistor 102; an exemplary insulative material is shown as 120 in Fig.11; an exemplary recited first layer of semiconductor material is shown as layer 16; an exemplary recited second layer of semiconductive material is shown as layer 26; and an exemplary recited NFET device is shown as device 50.

Amended claim 71 is allowable over the cited references for at least the reason that the references do not suggest or disclose all of the recited features of such claim. For instance, there is no teaching amongst the references for the recited construction having a PFET, an insulative material over the PFET, two layers of semiconductor material that are compositionally different from one another and over the insulative material and PFET -- and which support an NFET. The Examiner cites Noguchi to show a stacked PFET and NFET. However, applicant notes that the stacked PFET and NFET of Noguchi share a transistor gate, and thus there is no teaching of the claim 11 stacked NFET and PFET having the recited insulative material between the upper NFET gate and the lower PFET gate. For at least this reason, claim 71 is allowable over Noguchi. The Examiner's other cited references also do not teach such recited feature of claim 71, either alone or in combination with Noguchi, and claim 71 is also allowable over any combination of the Examiner's cited references.

Claims 72, 73, 76 and 78-81 depend from claim 71, and are therefore allowable for at least the reasons for which claim 71 is allowable.

Claims 71-73, 76 and 78-81 are allowable over the cited references for the reasons discussed above, and applicant therefore requests formal allowance of such claims in the Examiner's next action.

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By: _____

Respectfully submitted

[Signature]

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